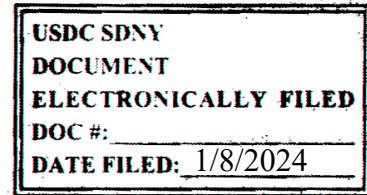


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
DENISE ANDERSON,

Plaintiff,

21-CV-01952 (RA)(SN)

-against-

**ORDER**

COMMISSIONER OF SOCIAL SECURITY,

Defendants.  
-----X

**SARAH NETBURN, United States Magistrate Judge:**

On March 5, 2021, the plaintiff filed this action pursuant to 42 U.S.C. § 405(g), seeking review of a denial of social security benefits. On November 30, 2021, the Honorable Ronnie Abrams approved a stipulation and agreement by the parties remanding the matter for further review by the Commissioner of Social Security. ECF No. 22. On January 4, 2024, the plaintiff filed a motion for an award of attorney's fees pursuant to 42 U.S.C. § 406(b)(1)(A). ECF No.26.

Because of the Commissioner's unique role and expertise in this area, the Court orders the Commissioner to respond to the plaintiff's motion by January 19, 2024. In particular, the Court directs the Commissioner to address the question of whether the fees amount to an impermissible windfall. See Diberardino v. Commissioner of Social Security, No. 17-cv-02868 (PKC), 2020 WL 6746828 (E.D.N.Y. Nov. 17, 2020).

**SO ORDERED.**

\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: January 8, 2024  
New York, New York